

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

**Confirmation No.: 9897**

Makoto INABA

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Serial No.: 10/713,398

Group Art Unit: 3767

Filed: November 14, 2003

Examiner: Deanna K. HALL

For: CATHETER UNIT FOR RADIATION THERAPY

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VIA EFS-WEB

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**SUBMISSION**

Sir:

Submitted herewith is a copy of art together with a form listing the same for the convenience of the Examiner.

I respectfully request that the information submitted be considered and credit card payment for the required filing fee of \$180.00 is being submitted via EFS-WEB.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee due during the pendency of this application is not paid, the Patent and Trademark Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

**STATEMENT OF RELEVANCE 37 C.F.R. § 1.98(a)(3)(i)**

"Lung Cancer", Japanese Journal of Clinical Radiology, Vol. 41, No. 13, 1996, (Japanese Language) discloses the following steps of operation. In intraluminal radiation therapy that employs a radiation source, a catheter is used to introduce a radiation source tube into a cavity. The catheter has wings on its distal end, whereby it is fixed in a predetermined position in the cavity.

1. An endoscope is inserted into a bronchus through one nostril.
2. A radiation source tube is inserted into a channel of the endoscope.
3. The endoscope is removed with the radiation source tube left in the bronchus.

4. After the endoscope is inserted into the bronchus through another nostril or the mouth, it is used for observation from the backside as the winged catheter is inserted into the bronchus with the radiation source tube used as a guide.

5. The catheter is observed through the endoscope as its wings are spread in a desired position so that the catheter is fixed in the desired position.

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Respectfully submitted,



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